

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SANTIAGO SAUCEDO and ROBERT
HERNANDEZ,

Plaintiffs,

v.

CAROLINA PENNY, et al.,

Defendants.

Case No. 1:24-cv-00965-BAM

**ORDER FOLLOWING STATUS
CONFERENCE**

**ORDER SETTING FURTHER STATUS
CONFERENCE**

Status Conference: January 21, 2025
9:30 AM (Zoom)
Courtroom 8 (BAM)

On November 19, 2024, the Court held a status conference to address service of process. Plaintiff Robert Hernandez appeared by Zoom video. Plaintiff Santiago Saucedo did not appear. Defendants have not been served and have not appeared in this action.

As a preliminary matter, the Court addressed Plaintiff Saucedo's failure to appear at the conference. Plaintiff Hernandez explained that Plaintiff Saucedo speaks only Spanish. Although the Court excused Plaintiff Saucedo's appearance at the conference, the Court advised that he must appear at all future conferences.¹ The Court also advised that Plaintiff Hernandez could not represent Plaintiff Saucedo in this action. *See Local Rule 183(a)* ("Any individual who is representing himself . . without an attorney must appear personally or by courtesy appearance by

¹ The Court is unable to provide translator services in civil cases.

1 an attorney admitted to the Bar of this Court, and may not delegate that duty to any other
2 individual, including husband or wife, or any other party on the same side appearing without an
3 attorney.”). Further, based on the Court’s recent receipt of returned documents, an updated
4 address is required for Plaintiff Saucedo. *See* Local Rule 182(f) (“Each . . . pro se party is under a
5 continuing duty to notify the Clerk and all other parties of any change of address or telephone
6 number . . . of the pro se party.”); 183(b) (“A party appearing in propria persona shall keep the
7 Court and opposing parties advised as to his or her current address.”).

8 Additionally, the Court addressed the failure to serve defendants in this action. Plaintiff
9 Hernandez reported that he had been provided with the wrong addresses. Plaintiff Hernandez
10 indicated that he had attorney to assist in the matter and he requested additional time to complete
11 service. As indicated at the conference, Plaintiff Hernandez’s request for additional time to
12 complete service is GRANTED. Fed. R. Civ. P. 4(m) (“If a defendant is not served within 90
13 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—
14 must dismiss the action without prejudice against that defendant or order that service be made
15 within a specified time. But if the plaintiff shows good cause for the failure, the court must extend
16 the time for service for an appropriate period.”). The Court sets a further Status Conference for
17 **January 21, 2025, at 9:30 AM in Courtroom 8 (BAM) before Magistrate Judge Barbara A.**
18 **McAuliffe.** The purpose of the conference is to address service of the complaint. The parties
19 shall appear at the conference remotely via Zoom video conference. The parties will be provided
20 with the Zoom ID and password by the Courtroom Deputy prior to the conference. The Zoom ID
21 number and password are confidential and are not to be shared. Appropriate court attire
22 required.

23
24 IT IS SO ORDERED.

25 Dated: November 19, 2024

26 /s/ Barbara A. McAuliffe
27 UNITED STATES MAGISTRATE JUDGE
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